

### **Remarks**

The outstanding Office Action rejects the two pending claims as anticipated by the Zearfoss '680 patent reference. In an effort to more particularly define the invention and to patentably distinguish the '680 patent, claims 1 and 2 have been cancelled and newly presented claims 3 and 4 are introduced. Claim 3 positively recites the elements of a closed loop refrigerant circuit having a first and second capillary throttling element at opposite ends of the receiver. The receiver is defined as having a bottom region forming an inlet and an upper region forming an outlet. The suction line is oriented adjacent to and in thermal contact with the receiver. Refrigerant flows through the receiver and the suction line in opposite directions. In the '680 patent, the receiver inlet is oriented below the height of the receiver outlet just the opposite from the orientation now expressly claimed.

It is respectfully submitted that the application as amended is in condition for allowance and patentably defines an invention over the prior art. If the Examiner has any additional issues, he is invited to telephone the undersigned so that the matter can be promptly handled by Examiner's amendment and the case passed on to issuance.

Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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